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PETER SPRENGER  
CLERK US DIST COURT  
WD OF WI

Attn: United States District Court for the Western District of Wisconsin

Address: 120 North Henry St. #320 Madison, WI. 53703

Court Case: Dallas Buyers Club, LLC (the "plaintiff") v. Does

Civil Action #: 3:14-cv-00810

Charter Case #: 15-0247

ID Number: 2

IP Address: 24.183.47.230 40:70:09:cd:c3:a4 6c:b0:ce:40:0e:1b 2014-09-17 01:11:52 2015-01-26  
17:02:46

To whom it may concern,

I am writing to formally object to the release of my personal information to the plaintiff in the case number mentioned above. Please deny all access to the above listed information to the plaintiff. Do not; under any circumstances allow access to my personal information. I will have my attorney take further action on this as needed.

Thank you;

## UNITED STATES DISTRICT COURT

for the

Western District of Wisconsin

Dallas Buyers Club, LLC

Plaintiff

DOES

Defendant

Civil Action No. 3:14-cv-00810

(If the action is pending in another district, state where: )

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Subpoena Compliance/Custodian of Records: Charter Communications, Inc. C/O CSC-Lawyers Incorporating  
Service Company, 8040 Excelsior Drive, Suite 400 Madison, WI 53717

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material. Per the attached Order, provide the name, current (and permanent) addresses of all persons whose IP addresses are listed in the attached spreadsheet. We will provide data to you in cost-effective format if you inform us of your preferred format.

Place: Keith A. Vogt/ Takiguchi & Vogt  
1415 W 22nd Street, Tower Floor  
Oak Brook, IL 60523

Date and Time:

February 16, 2015 10:00 AM

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: January 15, 2016

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

S/ Keith Vogt

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Plaintiff

, who issues or requests this subpoena, are:

Keith Vogt/Takiguchi &amp; Vogt/1415 W 22nd Street, Tower Floor/Oak Brook, IL 60523/630-974-5707

kvogt@TakiguchiandVogt.com

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

Dallas Buyers Club, LLC,	)	
	)	
Plaintiff,	)	Case: No. 3:14-cv-00810
	)	
v.	)	
	)	
DOES,	)	
	)	
Defendants.	)	

**ORDER ON MOTION FOR LEAVE TO SERVE  
THIRD PARTY SUBPOENAS PRIOR TO A RULE 26(f) CONFERENCE**

**THIS CAUSE** came before the Court upon Plaintiff's Motion for Leave to Serve Third Party Subpoenas Prior to a Rule 26(f) Conference (the "Motion"), and the Court being duly advised in the premises does hereby:

**FIND, ORDER AND ADJUDGE:**

1. Plaintiff established that "good cause" exists for it to serve third party subpoenas on the Internet Service Providers listed on Complaint Exhibit B (the "ISPs"). See UMG Recording, Inc. v. Doe, 2008 WL 4104214, \*4 (N.D. Cal. 2008); and Arista Records LLC v. Does 1-19, 551 F. Supp. 2d 1, 6-7 (D.D.C. 2008).
2. Plaintiff may serve each of the ISPs with a Rule 45 subpoena commanding each ISP to provide Plaintiff with the true name and address of the Defendant to whom the ISP assigned an IP address as set forth on Complaint Exhibit B. Plaintiff shall attach to any such subpoena a copy of this Order.
3. Plaintiff may also serve a Rule 45 subpoena in the same manner as above on any service provider that is identified in response to a subpoena as a provider of Internet services to one of the Defendants.

4. Each of the ISPs that qualify as a "cable operator," as defined by 47 U.S.C. § 522(5), which states:

the term "cable operator" means any person or group of persons

(A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or

(B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system

shall comply with 47 U.S.C. § 551(c)(2)(B), which states:

A cable operator may disclose such [personal identifying] information if the disclosure is . . . made pursuant to a court order authorizing such disclosure, if the subscriber is notified of such order by the person to whom the order is directed.

by sending a copy of this Order to the Defendant.

5. The subpoenaed ISPs shall not require Plaintiff to pay a fee in advance of providing the subpoenaed information; nor shall the subpoenaed ISPs require Plaintiff to pay a fee for an IP address that is not controlled by such ISP, or for duplicate IP addresses that resolve to the same individual, or for an IP address that does not provide the name of a unique individual, or for the ISP's internal costs to notify its customers. If necessary, the Court shall resolve any disputes between the ISPs and Plaintiff regarding the reasonableness of the amount proposed to be charged by the ISP after the subpoenaed information is provided to Plaintiff.
6. If any particular Doe Defendant has been voluntarily dismissed then any motion filed by said Defendant objecting to the disclosure of his or her identifying information is hereby denied as moot. Notwithstanding the foregoing, the applicable ISP shall withhold the moving Defendant's identifying information from Plaintiff unless and until Plaintiff obtains a subsequent court order authorizing the disclosure.

7. Plaintiff may only use the information disclosed in response to a Rule 45 subpoena served on an ISP for the purpose of protecting and enforcing Plaintiff's rights as set forth in its Complaint.

DONE AND ORDERED this 13<sup>th</sup> day of JANUARY, 2015, 2014.

By 

UNITED STATES ~~DISTRICT~~ JUDGE

MAGISTRATE